

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHARLES JASON MORAN,

Plaintiff,

No. C 08-03188 JSW

v.

PIPER JAFFRAY & CO. d/b/a PIPER
JAFFRAY,

Defendant.

**NOTICE OF TENTATIVE
RULING AND QUESTIONS**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, PLEASE TAKE
NOTICE OF THE FOLLOWING **TENTATIVE** RULING AND QUESTIONS FOR THE
HEARING SCHEDULED ON AUGUST 22, 2008, AT 9:00 A.M.:

The Court has reviewed the parties' papers and, thus, does not wish to hear the parties reargue matters addressed in those pleadings. If the parties intend to rely on authorities not cited in their briefs, they are ORDERED to notify the Court and opposing counsel of these authorities reasonably in advance of the hearing and to make copies available at the hearing. If the parties submit such additional authorities, they are ORDERED to submit the citations to the authorities only, with reference to pin cites and without argument or additional briefing. *Cf.* N.D. Civil Local Rule 7-3(d). The parties will be given the opportunity at oral argument to explain their reliance on such authority. The Court suggests that associates or of counsel attorneys who are working on this case be permitted to address some or all of the Court's questions contained herein.

1 The Court **tentatively GRANTS** Defendant's petition to compel arbitration and motion
2 to stay proceedings.

3 Each party shall have fifteen minutes to address the following questions:

- 4 (1) Upon reviewing the statement of claims Plaintiff submitted to Financial Industry
5 Regulatory Authority ("FINRA"), it appears as though Plaintiff did not seek permanent
6 injunctive relief. FINRA Rule 13804 requires that a party seeking temporary injunctive
7 relief from a court "must, at the same time, file with the Director a statement of claim
8 requesting permanent injunctive ... relief." Based on Plaintiff's apparent failure to
9 submit a statement of claims seeking permanent injunctive relief, why should the Court
10 not stay this action?
- 11 (2) Are there any other issues the parties wish to address?

12 Dated: August 20, 2008



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE